

FILED
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CLERK

U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH

REBECCA KANGAS,

Plaintiff,

v.

KILOLO KIJAKAZI,

Defendant.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 1:21-cv-00122-JNP-DAO

Judge Jill N. Parrish

Magistrate Judge Daphne A. Oberg issued a Report and Recommendation that the court deny plaintiff Rebecca Kangas's motion to proceed in forma pauperis. Judge Oberg notified Kangas that a failure to file a timely objection to her recommendation could waive any objections to it. No objection was filed within the allotted time.

Because Kangas did not object to the Report and Recommendation, any argument that it was in error has been waived. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The court will decline to apply the waiver rule only if "the interests of justice so dictate." *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). The court has reviewed the Report and Recommendation and concludes it is not clearly erroneous. Thus, the court finds that the interests of justice do not warrant deviation from the waiver rule and ADOPTS IN FULL the Report and Recommendation.

Accordingly, the court ORDERS as follows:

1. The Report and Recommendation, ECF No. 4, is ADOPTED IN FULL.
2. The court DENIES Kangas's motion to proceed in forma pauperis. ECF No. 1.

3. Kangas must pay the full filing fee of \$400 by December 2. If the full filing fee is not paid by this date, the court will dismiss this action without prejudice.

DATED November 2, 2021.

BY THE COURT:



JILL N. PARRISH
United States District Judge